

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIAM HOLMES, an individual; and  
JENNIFER HOLMES, an individual

Plaintiffs,

v.

DAVID C. ARMSTRONG, an individual;  
DAVID C. ARMSTRONG, trustee of the R.J.  
ARMSTRONG LIVING TRUST, a  
Washington testamentary trust,

Defendants.

Case No. 3:23-cv-00307-LRH-CLB

**ORDER**

The complaint in this action was filed on June 23, 2023. ECF No. 1. The Court issued a notice of intent to dismiss David C. Armstrong and R.J. Armstrong Living Trust under Fed. R. Civ. P. 4(m) unless proof of service was filed by November 9, 2023. ECF No. 5. To date, no such proof of service has been filed.

IT IS THEREFORE ORDERED that the claims against David C. Armstrong and R.J. Armstrong Living Trust are dismissed without prejudice.

IT IS FURTHER ORDERED that this action is dismissed without prejudice and the Clerk of the Court shall close the case.

IT IS SO ORDERED.

DATED this 12<sup>th</sup> day of December, 2023.



LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE